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6 Attorneys for Plaintiff/Counter-Defendant  
7 PicketFence, Inc. doing  
8 business as SandBox Studio

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 PICKETFENCE, INC., a California corporation  
14 doing business as SANDBOX STUDIO,

15 Plaintiff,

16 v.

17 R. R. DONNELLEY & SONS COMPANY, a  
Delaware corporation; and DOES 1 through 30,  
18 inclusive,

19 Defendants

20 R. R. DONNELLEY & SONS COMPANY, a  
Delaware corporation;

21 Counterclaimant,

22 v.

23 PICKETFENCE, INC., a California corporation  
24 doing business as SANDBOX STUDIO,

25 Counter-Defendant.

**Case No. C 07-1551 JL**

**AMENDMENT TO FIRST AMENDED  
COMPLAINT FOR DAMAGES,  
IMPOSITION OF CONSTRUCTIVE  
TRUST, DECLARATORY RELIEF,  
INJUNCTIVE RELIEF, AND AN  
ACCOUNTING**

26 IT IS HEREBY STIPULATED by and between Plaintiff/Counter-Defendant  
27 PicketFence, Inc., a California Corporation doing business as SandBox Studio ("SandBox") on  
28

1 the one hand, and Defendant/Counter-Claimant R.R. Donnelley & Sons Company  
2 (“Donnelley”), on the other hand, through its attorneys of record, as follows:

- 3 1) On November 16, 2007, SandBox filed its First Amended Complaint on file  
4 herein. On the caption of said First Amended Complaint, SandBox erroneously  
5 designated the Superior Court of California, County of San Francisco as the  
6 court of record for this matter, instead of the United States District Court,  
7 Northern District of California.
- 8 2) The parties wish to change the court referenced on the caption of SandBox’s  
9 First Amended Complaint to the United States District Court, Northern District  
10 of California.
- 11 3) Donnelley's previously-filed Answer, Affirmative Defenses and  
12 Counterclaim to the Amended Complaint shall stand as its Answer, Affirmative  
13 Defenses and Counterclaim to the Revised Amended Complaint

14 **SO STIPULATED.**

15 Dated: January 9, 2008

**NIESAR & WHYTE LLP**

16 By: /s/ Robert O. Whyte

17 Robert O. Whyte

**NIESAR & WHYTE LLP**

18 Attorneys for Plaintiff/Counter-Defendant

PicketFence, Inc. doing business as SandBox Studio

19 Dated: January 9, 2008

**SHAW GUSSIS FISHMAN GLANTZ  
WOLFSON & TOWBIN LLC**

21 By: /s/ Jeffrey L. Widman

22 Jeffrey L. Widman (*Admitted Pro Hac Vice*)

**SHAW GUSSIS FISHMAN GLANTZ**

**WOLFSON & TOWBIN LLC.**

23 Attorneys for Defendant/Counter-Claimant R.R.

24 **DONNELLEY & SONS COMPANY**

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27 Signatures continued on next page

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Dated: January 9, 2008

**FUTTERMAN & DUPREE LLP**

By: /s/ Jamie L. Dupree  
Jamie L. Dupree  
**FUTTERMAN & DUPREE LLP**  
Attorneys for Defendant  
R.R. Donnelley & Sons Company

**ORDER**

IT IS SO ORDERED:

Date: 1-31-09



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The Honorable James Larson